

ORDINANCE NO. 49-205

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2011-00039

Zone change from SF-5 Single-Family Residential (“SF-5”) to Neighborhood Retail (“NR”) on an approximately 1.27-acre property described as:

Lots 22 and 23, Block B, Ox-Bow Addition; generally located on the northeast corner of 17th Street North and Tyler Road, Wichita Sedgwick County, Kansas.

SUBJECT TO THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #264:

1. Permitted uses shall include: Single-Family Residential, General Retail and General Office.
2. The property shall be developed and/or redeveloped with a building that has a residential character, and that includes brick, masonry, wood, Hardie board, composite or a similar type of siding; a double-pitched or hip roof, with a maximum height of 25 feet.
3. Signage shall be a monument type as permitted in the NR zoning district, along Tyler Road. No building signage along the north and east sides of the building. All other provisions of signage shall be as permitted in the Sign Code for the NR zoning district.
4. The property shall be restricted to one point of access onto Tyler Road. The Traffic Engineer shall determine if the access onto Tyler Road is full movement or right-in – right-out. The property owner shall dedicate complete access control to 17th Street North. The property owner of the subject site shall provide a joint access and cross lot circulation agreement to be provided prior to the case going to City Council, to be in effect when/if the abutting lot to the north also converts to a non-residential use.
5. Lighting shall conform to lighting standards in Sec. IV-B.4 of the Unified Zoning Code and be limited to no more than 14 feet in height, including the base. No light poles shall be located within the compatibility setbacks, where the site abuts and is adjacent to residential zoning.
6. Landscaping shall be provided that is equivalent to a landscaped street yard, parking lot landscaping and screening along Tyler Road, and a 10-foot wide landscape buffer along the property lines abutting a residential district, as required in the City of Wichita Landscape Ordinance. A Landscape Plan shall be submitted to the Director of Planning for approval prior to the issuance of a building permit.
7. The solid wood fence 6-8 feet tall shall be placed along the property lines abutting a residential district, as required in the Unified Zoning Code.
8. A drainage plan shall be submitted to Stormwater, prior to issue of permits and redevelopment of the site.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Carl Brewer - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form: _____
Gary E. Rebenstorf, City Attorney